

1 **A RESOLUTION TO ENSURE FREE ACCESSIBILITY TO FULTON COUNTY**
2 **RECORDS BY COUNTY OFFICIALS AND EMPLOYEES AS NEEDED TO FULFILL**
3 **THEIR PUBLIC DUTIES AND FUNCTIONS; AND FOR OTHER PURPOSES.**
4

5 **WHEREAS**, Fulton County, Georgia, in the fulfillment of its governmental
6 functions, creates, maintains and possesses certain records; and

7 **WHEREAS**, the Georgia Open Records Act, O.C.G.A. Sec. 50-18-70 *et seq.*,
8 governs which government records are to be open for public inspection, copying and
9 production; and

10 **WHEREAS**, Personnel Policy 323-16 and Fulton County Policy 600-55 limit
11 County officials' and employees' access to Fulton County records to Open Records Act
12 requests when the request is for personal use and not requesting documents from one's
13 own personnel file; and

14 **WHEREAS**, County records should be freely accessible to County officials and
15 employees in the normal course of their job duties as needed for legitimate business
16 purposes and/or pursuant to directives from their supervisors without the need for an
17 Open Records Act request; and

18 **WHEREAS**, the Board of Commissioners finds that Fulton County records created
19 and maintained by Fulton County should be made freely accessible to its officials and
20 employees when the records are needed to perform their public duties and functions; and

21 **WHEREAS**, Fulton County has various boards, commissions, taskforces,
22 committees, councils and authorities to which the Board of Commissioners appoints
23 members; and

24 **WHEREAS**, these boards, commissions, taskforces, committees, councils and
25 authorities to which the Board of Commissioners makes appointments fulfill a vital role in
26 supporting and furthering the interests of Fulton County and its citizens; and

27 **WHEREAS**, the Board of Commissioners also recognizes that the access of these
28 boards, commissions, taskforces, committees, councils and authorities to which the
29 Board of Commissioners makes appointments to Fulton County records relevant to their
30 public duties is often necessary for these members to fulfill their public functions on behalf
31 of the citizens of Fulton County; and

32 **WHEREAS**, under section (a) its home rule powers found at GA CONST Art. 9, §

33 2, ¶ 1(a), the Board of Commissioners has authority to adopt reasonable ordinances,
34 resolutions, or regulations relating to the County's affairs for which no provision has been
35 made by general law and which are not inconsistent with the Constitution or any local law
36 applicable thereto.

37 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
38 clarifies that members of boards, commissions, taskforces, committees, councils and
39 authorities to which the Board of Commissioners makes appointments shall have access
40 to Fulton County records in the same manner as Fulton County officials and employees
41 as needed in the fulfillment of their public duties and functions.

42 **BE IT FURTHER RESOLVED**, that it is not the intent of this Resolution to remove
43 privileges or confidentiality applicable to any Fulton County records or to grant access to
44 such records by any Fulton County official, employee or member of a board, commission,
45 taskforce, committee, council and authority to which the Board of Commissioners makes
46 appointments, that they would not otherwise have due to such privilege or confidentiality.

47 **BE IT FURTHER RESOLVED**, that upon a Fulton County official's or employee's
48 receipt of a request for Fulton County records from a member of a board, commission,
49 taskforce, committee, council and authority to which the Board of Commissioners makes
50 appointments, and after a legal determination that the requested records are not
51 otherwise privileged nor confidential, the Fulton County official or employee must provide
52 the requested Fulton County records free of charge as quickly as practicable, and the
53 records may be requested or provided in any format that would be used in response to a
54 Georgia Open Records Act request.

55 **BE IT FURTHER RESOLVED**, that this Resolution is solely to clarify the internal
56 access of Fulton County officials and employees—including members of boards,
57 commissions, taskforces, committees, councils and authorities to which the Board of
58 Commissioners makes appointments—whose access to County records is necessary to
59 the performance their public duties and functions and shall not be construed as
60 supplanting the requirements for private parties under the Georgia Open Records Act.

61 **BE IT FINALLY RESOLVED**, that all resolutions and parts of resolutions in conflict
62 with this Resolution are hereby repealed to the extent of the conflict.

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SO PASSED AND ADOPTED, this 2nd day of October, 2024.

**BOARD OF COMMISSIONERS OF
FULTON COUNTY**

Sponsored by:

Bridget Thorne, Commissioner
District 1

Attest:

Tonya R. Grier
Clerk to the Commission

Approved as to Form:

Y. Soo Jo
County Attorney